

D R A F T

**HEARING AND SPEECH EXAMINING BOARD
MADISON, WI
MINUTES
SEPTEMBER 8, 2003**

PRESENT: Joseph Hulwi; Gerard Kupperman, Ph.D.; Alma Peters; William Starke; Michael Thelen, Au.D.

EXCUSED: Mae Cash, Stephen Harvey, M.D.

STAFF PRESENT: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Pamela Meicher, Program Assistant; DOE Staff

CALL TO ORDER

Gerard Kupperman, Chair, called the meeting to order at 2:23 p.m. A quorum of 5 members was present.

AGENDA

Amendments/Additions to the agenda:

- 1) Summary Reports on Pending Court Cases
- 2) Case Status Report
- 3) Application Review – Michael D. McCormack, HIS
- 4) Reporting of SLP's and AUD's to the Data Bank
- 5) Score Results – September 8, 2003 HIS Examination
- 6) Roster for the Hearing and Speech Examining Board and the Council on Speech-Language Pathology & Audiology

MOTION: Joseph Hulwi moved, seconded by Alma Peters, to approve the agenda as amended. Motion carried unanimously.

MINUTES (06/02/03)

MOTION: Alma Peters moved, seconded by Joseph Hulwi, to approve the minutes of 06/02/03 as published. Motion carried unanimously.

STATUS OF MEMBERS – COUNCIL ON SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

The Board inquired about status on the members of the council, as some Board member's terms have expired and they have held over. Tom Ryan explained that Board members remain in

active status until new nominees have been confirmed by the Senate or officially appointed by the Governor, with a resignation letter from the Board member. The Board would like to continue the council until at least the last Hearing and Speech Examining Board vacancy has been filled. A pending statute change (proposed) would add a speech-language pathologist to the Board, and if the legislation becomes law the Board may revisit the possibility of discontinuing the council.

BOARD MEMBER WORKSHOP

Tom Ryan reviewed the Board Member Workshop agenda scheduled for October 14, 2003. Mr. Ryan advised the Board that all Board members have been invited.

PROPOSED 2004 BOARD MEETING DATES

This item was tabled until the next Board meeting so that the department can provide proposed dates conforming to the building renovation and the discontinuance of meeting room availability on Mondays and Fridays.

MOTION: Michael Thelen moved, seconded by Alma Peters, to table decision on the proposed 2004 Board meeting dates until the December 1, 2003 meeting. Motion carried unanimously.

SUBJECT OPTIONS FOR EAR MOLD EXAMINATION – GAIL PIZARRO, PH.D.

Exam Specialist Gail Pizarro, Ph.D., identified three vendors that could supply ear molds for the examination. Dr. Pizarro recommends that the Board convert to standard subjects for examinations.

Michael Thelen will bring back mold prices and styles for the Board's consideration from an ADA conference he plans to attend.

MOTION: Joseph Hulwi moved, seconded by William Starke, to have Dr. Pizarro follow up with Dr. Thelen on obtaining sample models of ear molds for the December 1, 2003 meeting. Motion carried unanimously.

UPDATE ON CONSOLIDATED BILL DRAFT

Legal Counsel Attorney Ruby Jefferson-Moore advised the Board that the preliminary draft of the bill was received from Mark Kunkel of the Legislative Reference Bureau. Additional comments from the Board have been forwarded to the Executive Assistant and the legislature. The Board has acted to ensure that the statute is clear in requiring that employed applicants who are not yet credentialed have a temporary license. Similarly, the Board favors the American Speech-Language Hearing Association (ASHA) stating in its application that a temporary license is required for employment prior to passage of the examination. Additionally, The Board favors ASHA specifying that if applicants register for the examination yet do not sit for the next regularly-scheduled examination, then the temporary certificate would be invalid. Currently a temporary certificate is valid for nine months. The Board recommends using 'license' versus 'certificate'.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION

Legal Counsel Ruby Jefferson-Moore updated the Board on the status of Clearinghouse rule 03-025. The report has been prepared and sent to the legislature.

NATIONAL COUNCIL OF STATE BOARDS OF EXAMINERS FOR SPEECH PATHOLOGY AND AUDIOLOGY (NCSB) MEETING – GERALD KUPPERMAN, PH.D. (MOTION TO APPROVED TRAVEL REQUEST)

MOTION: Joseph Hulwi moved, seconded by William Starke, to send Dr. Kupperman as the Board delegate to attend the 16th Annual Conference of the NCSB, Minneapolis, MN, October 16-17, 2003. Motion carried unanimously.

NCSB POSITION STATEMENT ON TELEPRACTICE

The National Council of State Boards (NCSB) is collecting comments from all state Licensing Boards with respect to their position(s) on telepractice. Dr. Kupperman will respond on behalf of the Board.

MOTION: Michael Thelen moved, seconded by Alma Peters, to appoint Dr. Kupperman as the Board representative to answer all NCSB surveys. Motion carried unanimously.

NCSB/MINIMUM REQUIREMENT FOR REGISTRATION AS AN AUDIOLOGIST/AUD DEGREE

The Board discussed the article relating to ASHA's move toward Doctorate in Audiology (AuD) as a minimum requirement for certification by 2007. Attorney Jefferson-Moore reminded the Board that this certification requirement codified in Wisconsin's statutes. Attorney Jefferson-Moore advised the Board that it should revisit the need to change Wisconsin law if/when the change occurs at ASHA.

REVIEW OF PROCEDURES FOR LICENSE REINSTATEMENTS/RENEWALS FOR AUDIOLOGISTS, SPEECH-LANGUAGE PATHOLOGISTS, AND HEARING INSTRUMENT SPECIALISTS

The Board reviewed the process for reinstatements and renewals for licensure. The discussion encompassed the various requirements for less than and greater than five year expirations. Legal Counsel Ruby Jefferson-Moore advised the Board that applications expiring beyond five years are reviewed on a case-by-case basis and that the Board in its discretion may require exams and/or additional education. Tom Ryan will remind the credentialing staff that if there are pressing renewal or reinstatement questions that arise between board meetings, a teleconference call could be scheduled to address the issues.

DISTANCE EDUCATION CONSIDERATIONS – BARBARA SHOWERS, PH.D.

Noted.

INTERNET SALE OF HEARING AIDS AND MAIL ORDER SALES

The Board reviewed the HearingPlanet internet sales information covering hearing aids. The Board agreed that the practice appears to be acceptable since the vendor does not provide the hearing aids directly to the consumer. HearingPlanet works directly with the professional service provider. The professional service provider provides evaluation, selection, and fitting to the consumer.

Companies that sell the hearing aids directly to the consumer and expect the consumer to do their own fitting are not legally authorized. The Board is concerned about the impact of such companies on consumers and will continue to monitor them.

INFORMATIONAL ITEMS

All informational items from this meeting will be put on the 12/02/03 agenda.

CLOSED SESSION

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, to adjourn to Closed Session pursuant to Wis. Stats. § 19.85(1) (a) (b) (f) and (g) to review applications, to consider closing disciplinary investigation with an administrative warning, and examination issues and results. Motion carried by roll call vote: Joseph Hulwi-yes, Gerard Kupperman-yes, Alma Peters-yes; William Starke-yes; Michael Thelen, Au.D.-yes.

Open Session recessed at 4:16 p.m.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to reconvene into Open Session at 4:51 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

ADMINISTRATIVE WARNING

CAROLYN F. FIORE

MOTION: Alma Peters moved, seconded by William Starke, to approve the Administrative Warning in the matter concerning Carolyn F. Fiore. Motion carried unanimously.

APPLICATION REVIEW

LAVERNE R. SCHALAU

MOTION: Alma Peters moved, seconded by William Starke, to accept the application of Laverne R. Schalau and grant her a license. Motion carried unanimously.

MICHAEL MCCORMACK, HIS

MOTION: Joseph Hulwi moved, seconded by Michael Thelan, to deny the application of Michael McCormack, HIS, and refer this matter to DOE (include Michael McCormack's supervisor when referring to DOE.) Motion carried unanimously.

EXAMINATION ISSUES AND RESULTS – GAIL PIZZARO

Gail Pizarro addressed the Board noting that 11 out of the 16 examinees passed the September 8, 2003 Hearing Instrument Specialists (HIS) exam. Ms. Pizarro provided a summary report of the exam for the Board.

MOTION: Joseph Hulwi moved, seconded by William Starke, to grant licenses to those who passed the exam and met all other requirements. Motion carried unanimously.

ADJOURNMENT

MOTION: William Starke moved, seconded by Michael Thelen, to adjourn the meeting at 5:05 p.m. Motion carried unanimously.

NEXT MEETING DATE: MONDAY, DECEMBER 1, 2003